

Amendment and Response  
Applicant: Bures, et al.  
Serial No.: 10/604,503  
Page 7 of 8

### REMARKS

#### Pending Claims:

Claims 1, 6 and 28 are currently pending in the present application. Claim 1 is amended by the present Amendment to place the application in condition for allowance. Claim 7, 15, and 21 are herein cancelled. Claims 8-11, 16-20, and 22-27 are withdrawn from consideration.

#### Allowable Claims:

The Examiner has indicated that dependent claims 6 and 7 are allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 1 has been amended to include the limitations of claim 7. Claim 7 has been cancelled. Claim 1 now recites the step of generating a control signal in response to the measured delay time where the control signal is a function of a measured temperature of the acousto-optic device and a wavelength that corresponds to a phase-matching criteria of the acousto-optic device. The Applicants submit that amended claim 1 is now allowable over the prior art of record. The Applicants also submit that dependent claim 6 is allowable as depending upon an allowable base claim.

The Applicants acknowledge with appreciate that the Examiner has allowed 28.

#### Withdrawn Claims

The Examiner has withdrawn claims 8-11, 16-20, and 22-27 from consideration in the Office Action dated January 11, 2005 by a Restriction by Original Presentation because the Examiner believes that these claims are directed to a non-elected invention. The Office Action states that these claims are no longer directed to temperature measurement/compensation.

The Applicants respectfully traverse the Restriction by Original Presentation of dependent claims 8 and 9. Claim 1 has been amended to recite that the control signal is a function of the measured temperature of the acousto-optic device. Thus the Applicants submit that claim 1 as currently amended is now directed to temperature measurement/compensation

Amendment and Response  
Applicant: Bures, et al.  
Serial No.: 10/604,503  
Page 8 of 8

and, therefore, should not be subject to the Restriction by Original Presentation. Thus the Applicants submit that dependent claims 8 and 9 are allowable as depending from an allowable base claim.

### CONCLUSION

Claims 1, 6, and 28 are currently pending in the present application. Claim 1 is amended in the present application to include the limitations of claim 7, which the Examiner has indicated is allowable. Claims 7, 15 and 21 are cancelled. Claims 8-11, 16-20, and 22-27 are withdrawn from consideration. However, in light of the present amendment to claim 1, the Applicants submit that dependent claims 8 and 9 should not be subject to the Restriction by Original Presentation and are now allowable. In view of the foregoing amendments and remarks allowance of claims 1, 6, 8-9, and 28 is respectfully requested.

The Commissioner is hereby authorized to charge any proper fees to Attorney's Deposit Account No. 501211.

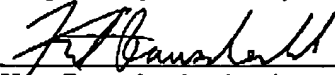
If, in the Examiner's opinion, a telephonic interview would expedite prosecution of the present application, the undersigned attorney would welcome the opportunity to discuss any outstanding issues, and to work with the Examiner toward placing the application in condition for allowance.

Date: April 18, 2005  
Reg. No. 40,137

Tel. No.: (781) 271-1503  
Fax No.: (781) 271-1527

Doc 1492

Respectfully submitted,

  
Kurt Rauschenbach, Ph.D.  
Attorney for Applicant  
Rauschenbach Patent Law Group, LLC  
Post Office Box 387  
Bedford, MA 01730